

Patent Application  
Attorney Docket No.: 28040-1

#### REMARKS

The following remarks are in response to the Office Action mailed on December 15, 2004. Prior to entrance of this Amendment, claim 1 was pending in this Application. Upon entrance of this Amendment, claims 1-39 will remain pending in this Application.

In the Office Action, claim 1 was rejected as being anticipated by Hansen et al. (United Kingdom Patent No. GB 838,501). Response is hereby made to this rejection.

As a preliminary matter, it should be noted that claim 1 has been amended herein. As amended, claim 1 recites a device that includes a tool body, a drive shaft disposed along a first axis inside of the tool body and having a first end configured for attachment to a drive mechanism, and a grinding member connected to a second end of the drive shaft and partially housed in the tool body. Amended claim 1 further includes a limitation stating that when the tool body is held in a fixed position with the drive shaft oriented horizontally, the grinding member is capable of pivoting upward through a first range of angles relative to the drive shaft and is further capable of pivoting downward through a second range of angles relative to the drive shaft.

Hansen teaches a device for trimming the hooves and dressing the teeth of animals. The device in Hansen includes a first drive shaft 22 disposed inside of a tool body 17. First drive shaft 22 is coupled to a second drive shaft 8 via a pair of bevel wheels 11 and 23. A grinding member 3 is attached to one end of the second drive shaft 8. The grinding member 3 and second drive shaft 8 pivot about a pivot pin 19 relative to the first drive shaft 22.

Although Hansen does teach a device having a grinding member 3 capable of pivoting through a range of

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angles relative to a drive shaft 22, Hansen does not teach or suggest a device wherein the grinding member is capable of pivoting upward through a first range of angles relative to the drive shaft and downward through a second range of angles relative to the drive shaft when the tool body is held in a fixed position with the drive shaft oriented horizontally. To the contrary, the grinding member 3 of the Hansen device is only capable of pivoting in a downward direction when the tool body 17 is held in a fixed position with the drive shaft 22 oriented horizontally. As such, Hansen does not anticipate claim 1 as amended and amended claim 1 is therefore allowable.

In addition to claim 1, Applicant has herein amended the claims to add new claims 2-39. Dependent claims 2-18 each depend from claim 1 which as amended is now allowable. Dependent claims 2-18, each of which are fully supported by the disclosure in the specification, add a limitation to allowable claim 1. Each of claims 2-18 is therefore narrower in scope than amended claim 1 and therefore should also be allowed. Notwithstanding that each of added dependent claims 2-18 is allowable because each depends from an allowable base claim, each of these claims is also allowable because each of these claims includes one or more additional limitations that patently distinguishes it from the prior art, including Hansen.

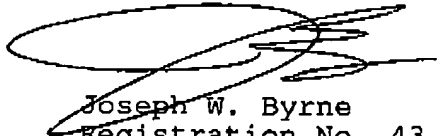
Added claims 19-39, each of which are also fully supported by the disclosure in the specification, each contain one or more limitations that patently distinguish each claim from the prior art, including Hansen, and therefore each of added claims 19-39 is also allowable.

Accordingly, in view of the above amendments and remarks, Applicant respectfully submits that the application should be allowed. The Examiner is invited to telephone the

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undersigned below if it will aid in the prosecution of this application.

Respectfully submitted,



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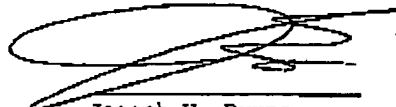
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Date: June 15, 2005



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